



AGENDA REPORT
November 13, 2018

**Public Hearing, Re: Code Revisions to Hotel and Motel Maximum Density in
BU-1, BU-2, TU-1, TU-2 and PBP (Second Hearing)**

SUBJECT:

Public Hearing Re: Code Revisions to Chapter 62, Article VI, revising the maximum density requirements for hotels and motels, specifically Code Sections 62-1511 (TU-1), 62-1512 (TU-2), 62-1541 (PBP), and Permitted with Conditions Section 62-1844.5 (Tourist Efficiencies and Hotels and Motels).

FISCAL IMPACT:

none

DEPT/OFFICE:

Planning and Development

REQUESTED ACTION:

It is requested that the Board of County Commissioners conduct the second public hearing to approve revisions to Chapter 62, Article VI, Zoning Regulations, to remove the maximum density requirements for hotels and motels, except for the Merritt Island Redevelopment Area (MIRA), which will maintain a maximum density of 30 units to the acre.

SUMMARY EXPLANATION and BACKGROUND:

The Board of County Commissioners, on October 4, 2018, approved a motion to grant legislative intent and advertise code revisions to eliminate hotel density to zoning classifications in the Community Commercial Future Land Use designation. The Board also directed staff to retain the maximum of 30 units per acre in the Merritt Island Redevelopment Area (MIRA).

The attached ordinance removes the maximum density requirements for hotels and motels in Section 62-1511(4), TU-1 (General Tourist Commercial); Section 62-1512, TU-2 (Transient Tourist Commercial); Section 62-1541, PBP (Planned Business Park); and Section 62-1844.5, Tourist Efficiencies and Hotels and Motels. (Removing the density caps in Section 62-1844.5 eliminates the maximum density in BU-1 and BU-2 zoning classifications).

The proposed code revisions were presented to the BCAC at their October 10, 2018 meeting, and they recommended approval of the language as written, but not including the

maximum density of 30 unit per acre for MIRA.

The Local Planning Agency, on October 22, 2018, unanimously approved the proposed code amendment, removing the language restricting density in the Merritt Island Redevelopment Area.

On October 23, 2018, the Board conducted the first public hearing, and approved the proposed code amendment as written, removing the maximum density requirements for hotels and motels, except for the Merritt Island Redevelopment Area (MIRA), which would maintain a maximum density of 30 units per acre.

CLERK TO THE BOARD INSTRUCTIONS:

If adopted, please return a certified copy of the Ordinance to Planning and Development.

ATTACHMENTS:

Description

- ▣ **Board memo 8 14**
- ▣ **Board memo 9 18**
- ▣ **Board memo 10 23**
- ▣ **CAO approval sheet**
- ▣ **Hotel Density Ordinance Strikethrough/Underline Copy**
- ▣ **Hotel Density Ordinance Clean Copy**



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 16, 2018

Honorable Scott Ellis
Clerk
Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, Florida 32781-0999

Attention: Deborah Thomas

Dear Mr. Ellis:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 2018-26, which was filed in this office on November 16, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2018-26

AN ORDINANCE AMENDING CHAPTER 62, "LAND DEVELOPMENT REGULATIONS", CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA; AMENDING ARTICLE VI, DIVISION 4, SUBDIVISION VII, "TOURIST COMMERCIAL AND TRANSIENT TOURIST USE" SPECIFICALLY AMENDING SECTION 62-1511(4), GENERAL TOURIST COMMERCIAL, TU-1 ZONING AND SECTION 62-1512, TRANSIENT TOURIST COMMERCIAL, TU-2, AND SECTION 62-1541, PLANNED BUSINESS PARK, PBP; AND AMENDING ARTICLE VI, DIVISION 5, SUBDIVISION II, "PERMITTED USES WITH CONDITIONS" SPECIFICALLY AMENDING SECTION 62-1844.5, TOURIST EFFICIENCIES AND HOTELS AND MOTELS; TO PROVIDE FOR NEW DENSITY ALLOWANCES DEPENDING UPON THE FUTURE LAND USE DESIGNATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREA ENCOMPASSED; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners wish to allow hotel and motel owners additional flexibility in their development potential; and

WHEREAS, the Future Land Use Element of Brevard County's Comprehensive Plan does not limit or designate the number of hotel or motel units within the Community Commercial Land Use Designation; and

WHEREAS, other Future Land Use Designations such as: Agriculture, Residential 1:2.5, Residential 1, Residential 2, Residential 4, Residential 6, Residential 10, Residential 15, Residential 30 Directive and Neighborhood Commercial all regulate the number of residential units which can be developed on a units/acre density limitation; and

WHEREAS, the Board of County Commissioners, on September 18, 2018 directed preparation of an amendment to the Zoning Regulations as it relates to hotel/motel development densities; and

WHEREAS, the Building Construction Advisory Committee, on October 10, 2018, reviewed the proposed ordinance and made recommendations; and

WHEREAS, the Local Planning Agency, on October 22, 2018, reviewed the proposed ordinance and made recommendations; and

WHEREAS, the Board of County Commissioners has reviewed the recommendations of the Local Planning Agency and the Building Construction Advisory Committee and has considered the comments of interested citizens in public hearing; and

WHEREAS, the Board of County Commissioners has determined that the proposed amendment serves the public health, safety and welfare of the citizens of Brevard County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. Section 62-1511(4). General Tourist Commercial, TU-1, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-1511. General tourist commercial, TU-1.

The TU-1 general tourist commercial zoning classification encompasses lands devoted to general tourist-related activities and recognizes the need for higher densities for motels and hotels. Also, a limitation of kitchen facilities is specified to prevent the conversion of motel and hotel units to permanent residential use. For purposes of this section, permanent residential use shall mean any use of one dwelling unit for more than three months by one family or one individual or any dwelling unit for which a lease is available for a period of time exceeding three months. The uses listed in subsection (1) of this section, or other uses of a similar nature that are compatible with the character of the uses specifically set forth in this section, are permitted.

- (4) *Maximum density.* No maximum density restrictions shall apply in the community commercial future land use designation. However, within the Merritt Island Redevelopment Area (MIRA) boundary as described in the 2013 Merritt Island Redevelopment Plan Update, the density shall be limited to a maximum of 30 units per acre.

SECTION 2. Section 62-1512(4). Transient Tourist Commercial, TU-2, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-1512. Transient tourist commercial, TU-2.

The TU-2 transient tourist commercial zoning classification encompasses land devoted to tourist facilities located within one-half mile from interstate or expressway interchange rights-of-way where traffic facilities are capable of accommodating higher-density uses and resulting traffic volumes. For the purposes of establishing the one-half mile distance, the point of tangency of the actual physical improvement of the on ramp or off ramp of the interstate and the roadway where the interchange serves, rather than the right-of-way line should be used as a beginning point. The one-half mile measurement shall include either the entire parcel, or if not the entire parcel, the entire principal structure as depicted in a binding development plan. Also, a limitation of kitchen facilities is specified to prevent the conversion of motel and hotel units to permanent residential use. For purposes of this section, permanent residential use shall mean any use of one dwelling unit for more than three months by one family or one individual or any dwelling unit for which a lease is available for a period of time exceeding three months. The uses listed in subsection (1), or other uses of a similar nature that are compatible with the character of the uses specifically set forth in this section, are permitted.

- (4) *Maximum density.* No maximum density restrictions shall apply in community commercial future land use designations.

SECTION 3. Section 62-1541(1). Planned Business Park, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-1541. *Planned business park, PBP.*

The PBP planned business park zoning classification is intended to encourage compatible development within areas designated community commercial and planned industrial on the future land use map of the county comprehensive plan. The intent of the regulations for this classification is to provide the opportunity for the aggregation of land, prevent piecemeal nonresidential development and protect environmentally and historically significant areas. The SR 405/SR 407 corridor shall apply to property fronting that area of SR 405 running from Barna Avenue to the Indian River Lagoon and that area of SR 407 running from I-95 to SR 405.

(1) *Permitted uses.*

a. *Permitted uses are as follows:*

All uses permitted in the BU-1 and BU-2 classification.

SECTION 4. Section 62-1844.5(a). Tourist Efficiencies and Hotels and Motels, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-1844.5. *Tourist efficiencies and hotels and motels.*

- (a) *Hotels and motels. Hotels and motels may be permitted in the general retail BU-1 and BU-2 zoning classifications in areas designated community commercial on the future land use map. However, within the Merritt Island Redevelopment Area (MIRA) boundary as described in the 2013 Merritt Island Redevelopment Plan Update, the density shall be limited to a maximum of 30 units per acre. This use shall be subject to the development criteria in the general tourist commercial zoning classification (TU-1).*

SECTION 5. Conflicting Provisions. In the case of a direct conflict between any provision of this ordinance and a portion or provision of any other appropriate federal, state or county law, rule, code or regulation, the more restrictive shall apply.

SECTION 6. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 7. Area Encompassed. This ordinance shall take effect only in the unincorporated area of Brevard County, Florida.

SECTION 8. Effective Date. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. This ordinance shall take effect upon adoption and filing as required by law.

SECTION 9. Inclusion in code. It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Brevard County, Florida; and that the sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

DONE, ORDERED AND ADOPTED, in regular session, this 13th day of November, 2018.

Attest:



Scott Ellis, Clerk

(S E A L)

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Rita Pritchett, Chair

(as approved by the Board on November 13, 2018)

Reviewed for legal form and content by: _____



November 14, 2018

M E M O R A N D U M

TO: Tad Calkins, Planning and Development Director

RE: Item H.2., Second Public Hearing for Code Revisions to Hotel and Motel Maximum Density in BU-1, BU-2, TU-1, TU-2, and PBP

The Board of County Commissioners, in regular session on November 13, 2018, conducted the second public hearing and adopted Ordinance No. 18-26, revising Chapter 62, Article VI, Zoning Regulations, removing the maximum density requirements for hotels and motels, specifically Code Section 62-1511(4) (TU-1), 62-1512 (TU-2), 62-1541 (PBP), and Permitted with Conditions Sections 62-1844.5 (Tourist Efficiencies and Hotels and Motels), except for the Merritt Island Redevelopment Area (MIRA), which will maintain a maximum density of 30 units to the acre. Enclosed is a fully-executed Ordinance.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encl. (1)

cc: County Attorney



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

August 15, 2018

MEMORANDUM

TO: Tad Calkins, Planning and Development Director

RE: Item J.2., Proposed Amendment to TU-1 Zoning Classification

The Board of County Commissioners, in regular session on August 14, 2018, approved legislative intent and permission to advertise for an ordinance amending Section 62-1511, by adding a new subsection (4) to increase the maximum density for hotel use, upon compliance with specific criteria in the zoning classification Tourist Commercial, TU-1.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for Donna Scott
for Tammy Rowe, Deputy Clerk

/ds

cc: Commissioner Tobia



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

September 19, 2018

MEMORANDUM

TO: Tad Calkins, Planning and Development Director

RE: Item H.3., General Tourist Commercial TU-1 Code Revision to Eliminate Hotel Density

The Board of County Commissioners, in regular session on September 18, 2018, conducted the second public hearing; and approved the readvertisement of the General Tourist Commercial TU-1 Code Revision to eliminate hotel density, and to include the Local Planning Agency (LPA) recommendation to expand TU-1, TU-2, and BU-1 Zoning Classifications.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/kp



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

October 24, 2018

M E M O R A N D U M

TO: Tad Calkins, Planning and Development Director

RE: Item H.2., Public Hearing for Code Revisions to Chapter 62, Article VI, Revising the Maximum Density Requirements for Hotels and Motels, Specifically Code Sections 62-1511 (TU-1), 62-1512 (TU-2), 62-1541 (PBP), and Permitted with Conditions Section 62-1844.5 (Tourist Efficiencies and Hotels and Motels)

The Board of County Commissioners, in regular session on October 23, 2018, conducted the first public hearing to consider revisions to Chapter 62, Article VI., Zoning Regulations, to remove the maximum density requirements for hotels and motels, except for the Merritt Island Redevelopment Area (MIRA), which will maintain a maximum density of 30 units to the acre.

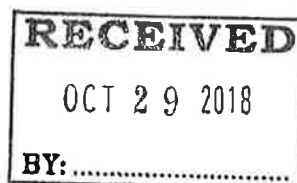
Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

cc: County Manager
County Attorney



Brevard County Attorney
Ordinance Approval Sheet

SECTION I

The following information must be completed on all ordinances submitted to the Board:

Ordinance Name: BU-1, BU-2, TU-1, TU-2 Hotel/Motel Code Amendment to Maximum Density		Ordinance Author: Rebecca Ragain	
Division Name: Planning & Development Dept. (Zoning Office)		Mail Stop: 81	Review Deadline:
Sent by P&ZO: Rebecca Ragain			
Dept./Office Director: Tad Calkins			
Meeting Date: (P&Z/LPA) 10/22/2018	(BCC) 10/23/2018 & 11/13/2018	Advertising Deadline: 10/8/2018	

SECTION II

COUNTY OFFICE

APPROVAL
Yes No

INITIALS DATE

County Attorney's Office

☒ ☐

JMB *10/2/2018*

SECTION III

Sent for Review

Land Dev. ☐ Y ☐ N ☐ N/A

ONRM ☐ Y ☐ N ☐ N/A

Other Dept./Office ☐ Y ☐ N ☐ N/A

Comments:

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING CHAPTER 62, "LAND DEVELOPMENT REGULATIONS", CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA; AMENDING ARTICLE VI, DIVISION 4, SUBDIVISION VII, "TOURIST COMMERCIAL AND TRANSIENT TOURIST USE" SPECIFICALLY AMENDING SECTION 62-1511(4), GENERAL TOURIST COMMERCIAL, TU-1 ZONING AND SECTION 62-1512, TRANSIENT TOURIST COMMERCIAL, TU-2, AND SECTION 62-1541, PLANNED BUSINESS PARK, PBP; AND AMENDING ARTICLE VI, DIVISION 5, SUBDIVISION II, "PERMITTED USES WITH CONDITIONS" SPECIFICALLY AMENDING SECTION 62-1844.5, TOURIST EFFICIENCIES AND HOTELS AND MOTELS; TO PROVIDE FOR NEW DENSITY ALLOWANCES DEPENDING UPON THE FUTURE LAND USE DESIGNATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREA ENCOMPASSED; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners wish to allow hotel and motel owners additional flexibility in their development potential; and

WHEREAS, the Future Land Use Element of Brevard County's Comprehensive Plan does not limit or designate the number of hotel or motel units within the Community Commercial Land Use Designation; and

WHEREAS, other Future Land Use Designations such as: Agriculture, Residential 1:2.5, Residential 1, Residential 2, Residential 4, Residential 6, Residential 10, Residential 15, Residential 30 Directive and Neighborhood Commercial all regulate the number of residential units which can be developed on a units/acre density limitation; and

WHEREAS, the Board of County Commissioners, on September 18, 2018 directed preparation of an amendment to the Zoning Regulations as it relates to hotel/motel development densities; and

WHEREAS, the Building Construction Advisory Committee, on October 10, 2018, reviewed the proposed ordinance and made recommendations; and

WHEREAS, the Local Planning Agency, on October 22, 2018, reviewed the proposed ordinance and made recommendations; and

WHEREAS, the Board of County Commissioners has reviewed the recommendations of the Local Planning Agency and the Building Construction Advisory Committee and has considered the comments of interested citizens in public hearing; and

WHEREAS, the Board of County Commissioners has determined that the proposed amendment serves the public health, safety and welfare of the citizens of Brevard County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Underline indicates additions.

~~Strike-through indicates deletions.~~

SECTION 1. Section 62-1511(4). General Tourist Commercial, TU-1, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-1511. General tourist commercial, TU-1.

The TU-1 general tourist commercial zoning classification encompasses lands devoted to general tourist-related activities and recognizes the need for higher densities for motels and hotels. Also, a limitation of kitchen facilities is specified to prevent the conversion of motel and hotel units to permanent residential use. For purposes of this section, permanent residential use shall mean any use of one dwelling unit for more than three months by one family or one individual or any dwelling unit for which a lease is available for a period of time exceeding three months. The uses listed in subsection (1) of this section, or other uses of a similar nature that are compatible with the character of the uses specifically set forth in this section, are permitted.

- (4) Maximum density. No maximum density restrictions shall apply in the community commercial future land use designation. However, within the Merritt Island Redevelopment Area (MIRA) boundary as described in the 2013 Merritt Island Redevelopment Plan Update, the density shall be limited to a maximum of 30 units per acre.
- a. ~~North beaches (north of the south boundary of Cocoa Beach): 30 units per acre in community commercial designations.~~
 - b. ~~Central beaches (south boundary of Cocoa Beach to U.S. 192): 12 units per acre in community commercial designations, except where otherwise provided by Amendment 98B.2 of the future land use element of the county comprehensive plan.~~
 - c. ~~South beaches (south of U.S. 192): Eight units per acre in community commercial designations.~~
 - d. ~~Mainland: 30 units per acre in community commercial designations subject to the following locational criteria:~~
 - 1. ~~Tourist uses should be located within a one-quarter mile radius of intersections of major through-county transportation corridors with major arterials or roadways of a higher classification;~~
 - 2. ~~Within a one-quarter mile radius of the Valkaria and Space Center Executive Airports;~~
 - 3. ~~Within a one-quarter mile radius of the SR 405 corridor; or~~
 - 4. ~~Within one-quarter mile of a highspeed rail/mag lev terminus.~~
 - e. ~~Merritt Island redevelopment area: 30 units per acre.~~

SECTION 2. Section 62-1512(4). Transient Tourist Commercial, TU-2, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-1512. Transient tourist commercial, TU-2.

The TU-2 transient tourist commercial zoning classification encompasses land devoted to tourist facilities located within one-half mile from interstate or expressway interchange rights-of-way where traffic facilities are capable of accommodating higher-density uses and resulting traffic volumes. For the purposes of establishing the one-half mile distance, the point of tangency of the actual physical improvement of the on ramp or off ramp of the interstate and the roadway where the interchange serves, rather than the right-of-way line should be used as a beginning point. The one-half mile measurement shall include either the entire parcel, or if not the entire parcel, the entire principal structure as depicted in a binding development plan. Also, a limitation of kitchen facilities is specified to prevent the conversion of motel and hotel units to permanent residential use. For purposes of this section, permanent residential use shall mean any use of one dwelling unit for more than three months by one family or one individual or any dwelling unit for which a lease is available for a period of time exceeding three months. The uses listed in subsection (1), or other uses of a similar nature that are compatible with the character of the uses specifically set forth in this section, are permitted.

- (4) *Maximum density. ~~Maximum density is 50 units per gross acre. For the purpose of computing density allowed, property divided by a public road shall be considered as separate parcels. No maximum density restrictions shall apply in community commercial future land use designations.~~*

SECTION 3. Section 62-1541(1). Planned Business Park, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-1541. Planned business park, PBP.

The PBP planned business park zoning classification is intended to encourage compatible development within areas designated community commercial and planned industrial on the future land use map of the county comprehensive plan. The intent of the regulations for this classification is to provide the opportunity for the aggregation of land, prevent piecemeal nonresidential development and protect environmentally and historically significant areas. The SR 405/SR 407 corridor shall apply to property fronting that area of SR 405 running from Barna Avenue to the Indian River Lagoon and that area of SR 407 running from I-95 to SR 405.

- (1) *Permitted uses.*

- a. *Permitted uses are as follows:*

All uses permitted in the BU-1 and BU-2 classification.

~~*Hotels and motels, limited to 30 units per acre.*~~

SECTION 4. Section 62-1844.5(a). Tourist Efficiencies and Hotels and Motels, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Reviewed for legal form and content by: _____

Sec. 62-1844.5. Tourist efficiencies and hotels and motels.

- (a) *Hotels and motels. Hotels and motels may be permitted in the general retail BU-1 and BU-2 zoning classifications ~~up to a maximum of 30 units per acre~~ in areas designated community commercial on the future land use map. However, within the Merritt Island Redevelopment Area (MIRA) boundary as described in the 2013 Merritt Island Redevelopment Plan Update, the density shall be limited to a maximum of 30 units per acre. This use shall be subject to the development criteria in the general tourist commercial zoning classification (TU-1).*

SECTION 5. Conflicting Provisions. In the case of a direct conflict between any provision of this ordinance and a portion or provision of any other appropriate federal, state or county law, rule, code or regulation, the more restrictive shall apply.

SECTION 6. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 7. Area Encompassed. This ordinance shall take effect only in the unincorporated area of Brevard County, Florida.

SECTION 8. Effective Date. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. This ordinance shall take effect upon adoption and filing as required by law.

SECTION 9. Inclusion in code. It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Brevard County, Florida; and that the sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

DONE, ORDERED AND ADOPTED, in regular session, this 13th day of November, 2018.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk

Rita Pritchett, Chair
(as approved by the Board on November 13, 2018)

(S E A L)